REMARKS/ARGUMENTS

Claims 1-16 are pending in this application. By this Amendment, claim 1 is amended. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Entry of the amended claims is proper under 37 C.F.R. §1.116 since the amendments: (1) place the application in condition for allowance (for the reasons discussed herein); (2) do not raise any new issues requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution without incorporating additional subject matter); and/or (3) place the application in better form for appeal (if necessary). Entry is thus requested.

A. The Office Action rejects claims 1-6 and 12 under 35 U.S.C. §102(e) over U.S. Patent No. 6,611,862 to Reisman et al. (hereinafter Reisman). The rejection is respectfully traversed.

With respect to claim 1, Applicants respectfully submit that Reisman fails to disclose every claimed feature as required under Section 102. For example, Reisman fails to disclose at least features of <u>prioritized</u> search item ordering criteria for searching and browsing the multimedia object, and user preference information for each of a plurality of the search item ordering criteria and combinations thereof as recited in claim 1. In an embodiment according to the present invention, for example, an apparatus can search or browse searched

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multimedia using search items (e.g., categories) displayed to the user (e.g., character, place, incident, article, key frame, etc) using various criteria or methods (e.g., time of occurrence, alphabetical order, number of appearances, etc.) according to each user's preference for the various criteria or method.

In contrast, Applicants respectfully submit that Reisman teaches an information transport component 14 including an application programming interfaces (APIs) and user interface 34 that allows a user to select a stored multimedia object for viewing. However, upon viewing, Applicants respectfully submit that Reisman does not teach or suggest that the multimedia object is displayed in accordance with user preference information for each of a plurality of search item ordering criteria and combinations thereof as recited in claim 1.

For example, in viewing a periodic (e.g., news) magazine with intra-period updates, Reisman discloses accessing combined data including received intra-period updates using a menu such as a table of contents, but does not disclose or suggest searchable criteria being provided with user preference information, let alone displaying searchable criteria in accordance with a particular user's preference information. See column 16, line 63 to column 17, line 28 and column 28, line 56 to column 31, line 44 of Reisman.

The June 21, 2004 Office Action asserts Reisman discloses displaying search items in order of user preference (product-specific configurations, user-specific configurations). See at least page 5, Item 5 of the Office Action. Applicants respectfully submit that even if more

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than one "configuration" is disclosed in Reisman, each is configured for a specific purpose in

Reisman, and therefore, a plurality of configurations are not concurrently provided, let alone

provided according to a user preference. In addition, the Office Action admits Reisman

does not disclose priority information. Thus, Applicants respectfully submit that Reisman

does not teach or suggest any modification to its disclosure that would result in at least

features of <u>prioritized</u> search item ordering criteria and user preference information for each

of a plurality of the search item ordering criteria and combinations thereof as recited in claim

1.

     For at least the reasons set forth above, Applicants respectfully submit that claim 1

defines patentable subject matter. Claims 2-6 and 12 depend from claim 1 and therefore also

define patentable subject matter. Withdrawal of the rejection of claims 1-6 and 12 under 35

U.S.C. §102 is respectfully requested.

     B. The Office Action rejects claims 7-11 and 13-16 under 35 U.S.C. §103(a) over

Reisman and U.S. Patent No. 6,138,139 to Beck et al. (hereafter "Beck"). The rejection is

respectfully traversed.

     Applicants respectfully submit that when establishing a *prima facie* case of obviousness,

the Office carries the initial burden of establishing, *inter alia*, that there exists some suggestion

or motivation, either in the references themselves or in the knowledge generally available to

one of ordinary skill in the art, to combine the teachings of references. M.P.E.P. § 2143. In

addition, the Office must show that the references when combined teach or suggest all of the

limitations of the claims. *Id.* In the present case, the rejection is improper at least for the

reason that Reisman and Beck do not teach or suggest all of the elements of the claims.

The June 21, 2004 Office Action asserts Reisman discloses data can be displayed to a

user in different forms (product-specific configurations or user-specific configurations). The

Office Action further asserts a web package assembler provides assembly of received content

elements into desired web packages. See column 51, lines 16-21 of Reisman. Reisman

further discloses assembly of content elements into standardized or customized web

packages for use at a user's station. See column 51, lines 39-45 of Reisman. However,

Applicants respectfully submit that each disclosed custom or standard user interface or APIs

40 and 42 is for a specific purpose. Thus, Applicants respectfully submit that a plurality of

item priority criteria are not provided to the user in Reisman, let alone prioritized. The

Office Action admits that Reisman does not specifically disclose priority information. See

Item 5 on page 6 of the Office Action.

The Office Action alleges it would have been obvious to modify Reisman to

implement priority information in processing transactions in a network as disclosed in Beck.

Applicants respectfully disagree.

The Federal Circuit has held that there must be a clear and particular suggestion in the

prior art to combine the teachings of the cited references in the manner proposed by the

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Examiner. As explained by the Federal Circuit, "[o]ur case law makes clear that the best

defense against the subtle but powerful attraction of a hindsight-based obviousness analysis

is rigorous application of the requirement for a showing of the teaching or motivation to

combine prior art references." See In re Dembiczak 175 F.3d 994, 999, 50 U.S.P.Q.2d 1614,

1617 (Fed. Cir. 1999). Applicants respectfully submit there is no clear and particular

suggestion or motivation to modify Reisman with the disclosure of Beck.

In particular, Applicants respectfully point out that Beck discloses prioritizing

incoming communications from an important client higher than incoming communications

from a bad client in a enterprise-hosted multimedia call center. See column 16, lines 60-67

of Beck. Further, Beck discloses interactions with live external media are preferably recorded

and stored, for example in MIS 79, with an associated text version to become part of an

overall threaded contact history. See column 8, lines 45-65, Figure 8 and column 21, line 65-

column 22, line 9. Beck further discloses that concurrent interactions (e.g., diverse

interaction path) that occur in a threaded dialogue can be listed in any order. See column 38,

lines 10-15 and column 40, line 53-column 41, line 20 of Beck.

Reisman, on the other hand, is not concerned with prioritizing incoming calls or data

through a communication center or logging incoming calls to provide a seamless customer

interaction with an enterprise-agent or knowledge worker.

As such, there is absolutely no suggestion or need to modify Reisman with a method of recording a diverse interaction path of a threaded dialog as taught by Beck. Indeed, only through hindsight using Applicants' disclosure would one even attempt to combine the references, which is improper.

In addition as described above, Applicants respectfully submit that even if combined, Reisman and Beck do not teach or suggest at least features of a multimedia search and browsing method including displaying search items in order of user preference on the basis of item priority criteria according to the user preference by using search item ordering criteria information including the user preference about the item priority criteria and combinations thereof as recited in claim 7.

For at least the reasons set forth above, Applicants respectfully submit that claim 7 defines patentable subject matter. Claims 8 and 11 define patentable subject matter for at least reasons similar to claim 8. Claims 9-10 and 13-16 depend from claims 7 and 8, respectively, and therefore also define patentable subject matter. Withdrawal of the rejection of claims 7-11 and 13-16 under 35 U.S.C. §103 is respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Carl R. Wesolowski, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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